

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GREGORY GIBBS,

Plaintiff,

v.

TREVOR HARDY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-12-1751

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW**, this 17<sup>th</sup> day of July, 2013, upon review of the Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 31) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report & Recommendation (Doc. 31) is **ADOPTED**.
- (2) Defendants' Motion to Dismiss (Doc. 29) is **GRANTED**.
- (3) The action is **DISMISSED with prejudice**.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.

  
A. Richard Caputo  
United States District Judge